

# Exhibit 15

Exhibit 15

## **DECLARATION NO. 5 OF MICHAEL ERWINE**

I, Michael Erwine, declare that the assertions in this Declaration are true and correct, based upon my personal knowledge, and that I am competent to testify to the facts stated below:

1. I the Plaintiff in the lawsuit Michael Erwine v. Churchill County and Churchill County Sheriff Benjamin Trotter currently pending before the Federal District Court in Northern Nevada;

2. Prior to leaving Churchill County in October of 2016, I had never failed a background investigation or been denied a law enforcement position because of background related issues, rather I was simply not the one or few people chosen out of the often hundreds of applicants;

3. In regards to my application with the Washoe County Sheriff's office in 2015, I again did not fail any portion of the process or "was not selected" for an interview as the defense claims. I was notified by Washoe County human resources that the application eligibility list that I was on had expired and I would have to reapply if I wished to still be considered for employment. This also occurred with the Sparks Police department and Lyon County Sheriff's office in 2015. In my experience, Police Departments often have hundreds of applicants for relatively few positions;

4. As the email dated November 22, 2016 attached hereto as Attachment A shows, I had ranked number 21 after a physical test, a written test and an interview in the employment process with the Las Vegas Metro Police Department. During my testing, I was informed that there were 50 open spots for the LVMPD academy. This was out of thousands of applicants for the available positions. I was well within the range where if I had passed the background check, I would have been hired by LVMPD. I only failed the process indefinitely after Trotter spoke to

the Background Investigator for the LVMPD, Mr. Olsen;

5. I also received the letter dated September 8, 2017 from the Carson City Department of Alternative Sentencing, attached hereto as Attachment B, that states that I failed the background investigation and was “precluded from applying in the future;”

6. I also received the letter dated November 14, 2017 attached hereto as Attachment C from the North Las Vegas Police Department indicating that I had been rejected for “character issues” and “employment history.” This letter also said that I was “disqualified indefinitely,” which was very shocking;

7. The Washoe Tribe of California and Nevada has no agreement with any Sheriff that would allow me to take law enforcement action outside of the boundaries of the tribe; and

8. In Trotter’s October 10, 2016 Memorandum, he states that I created a “hidden Word document.” I made no hidden document, and the document in question was saved to the desktop of a work computer owned by Churchill County located in the jail. Anyone with access to Churchill County’s IT system could see the document in question and I made no attempt to hide it from anyone.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 6/9/21 in Reno, Nevada

By: 

Michael Erwine.

# Attachment A

Attachment A

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**Replies to this email will be sent to Toni Bolton <t8365b@lvmpd.com>**  
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# Attachment B

Attachment B



Department of  
ALTERNATIVE SENTENCING



Carson City

Tad Fletcher, Chief

Date: 9/8/2017

To: Mike Erwine  
[REDACTED]

Dear Mr. Erwine,

Thank you for your interest in the Carson City Department of Alternative Sentencing. This letter is to inform you that you are no longer being considered in the current recruitment due to failing one or more portions of the selection process:

- |   |  |
|---|--|
| <input type="checkbox"/> Pre-screening (minimum qualifications) | <input type="checkbox"/> Written Testing                     |
| <input type="checkbox"/> Physical Agility Testing               | <input checked="" type="checkbox"/> Background Investigation |
| <input type="checkbox"/> Oral Board Panel                       | <input checked="" type="checkbox"/> Chief's Review           |
| <input type="checkbox"/> Other _____                            |  |

Pursuant to the pre-employment waiver and the liability release form, **you have no right of review** of any information obtained during the selection process.

Based on our recruitment standards you are precluded from reapplying with our agency in the future. Again, thank you for your interest in the Carson City Department of Alternative Sentencing. Best wishes in your future endeavors.

Sincerely,

# Attachment C

Attachment C





# NORTH LAS VEGAS POLICE

November 14, 2017

Michael Erwine

VIA EMAIL: mikeerwine22@aol.com

Dear Michael,

An in-depth investigation into your background has been completed by the North Las Vegas Police Department. We regret to inform you that you are ineligible to continue in the employment process for the position of Police Officer for the following reason(s):

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Character Issues     | <input type="checkbox"/> Criminal History/Involvement |
| <input type="checkbox"/> Driving History                 | <input type="checkbox"/> Drug History/Involvement     |
| <input checked="" type="checkbox"/> Employment History   | <input type="checkbox"/> Financial History            |
| <input type="checkbox"/> Medical Standards Not Met       | <input type="checkbox"/> Military History             |
| <input type="checkbox"/> Psychological Standards Not Met | <input type="checkbox"/> Truthfulness Issues          |

Involuntary Withdraw:

(Incomplete background packet and/or requested information not received by NLVPD; did not attend scheduled appointments.)

Voluntary Withdraw:

(Verbal/written notification received from you indicating that you are no longer interested in this position.)

Other: (Please specify): \_\_\_\_\_

The NLVPD is committed to establishing a strong department by using objective guidelines designed to determine the character and suitability of each applicant. Our background process reflects that goal through a strict adherence to our hiring standards.

The Department's hiring standards, the details of the background investigation, and all information obtained during the background process **are confidential and cannot be disclosed.**


The North Las Vegas Police Department would like to thank you for your interest in employment with our agency. However, in accordance with Civil Service Rules and Regulations and the City of North Las Vegas Municipal Code 2.68.090, you will no longer be considered for employment with the NLVPD at the present time.

**The statement(s) provided above is the only information the Department will release to you regarding your disqualification. You are disqualified indefinitely.**

No assumption is made that you are ineligible for employment with another police agency. We wish you success in your search for employment.

Sincerely,

Alexander Perez  
Chief of Police

By:   
Officer L. Lee #1848  
Special Investigations